No. 95-1853

Supreme Court, U.S.
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IN THE

Supreme Court Of The United States

October Term, 1995

WILLIAM JEFFERSON CLINTON,

Petitioner,

vs.

PAULA CORBIN JONES,

Respondent.

On Writ Of Certiorari To The United States Court Of Appeals For The Eighth Circuit

JOINT APPENDIX

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Petition for Certiorari Filed May 15, 1996
Certiorari Granted June 24, 1996

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The following opinions, decisions, judgments and orders have been omitted in printing the joint appendix because they appear on the following pages in the appendix to the printed Petition for Certiorari:

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Memorandum Opinion and Order from the United States District Court, Eastern District of Arkansas, denying President Clinton's Motion to Dismiss on Grounds of Presidential Immunity, December 28, 1994 ..... App. 54-73

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Order from the United States Court of Appeals for the Eighth Circuit granting President Clinton's Rule 41(b) Motion for a Stay of Mandate, April 16, 1996 ..... App. 38

PUBLISHER'S NOTE:

THE FOLLOWING PAGES WERE UNAVAILABLE FOR FILMING:

1 and 2

July 21, 1994	RESPONSE BRIEF by plaintiff Paula Corbin Jones to Mr. Clinton's reply to plaintiff's opposition to defendant's motion to set briefing schedule [9-1] (vjt)
July 21, 1994	MEMORANDUM AND ORDER by Judge Susan W. Wright granting the President permission to file a motion to dismiss on the grounds of presidential immunity on or before August 10, 1994, and to defer and preserve the filing of any other motions or pleadings that may or must be filed under the Federal Rules of Civil Procedure until such time as the issue of presidential immunity has been resolved by this Court (this order only addresses the procedural issue, not the substantive questions relating to immunity) [9-1] (cc: all counsel) EOD July 21, 1994 (vjt) [Edit date July 21, 1994]
August 10, 1994	MOTION by defendant William Jefferson Clinton to dismiss on grounds of presidential immunity (vjt)
August 10, 1994	MEMORANDUM by defendant William Jefferson Clinton in support of motion to dismiss on grounds of presidential immunity [17-1] (vjt)
August 10, 1994	ATTACHMENTS to memorandum in support of President Clinton's motion to dismiss [18-1] (vjt)
August 12, 1994	MOTION by plaintiff Paula Corbin Jones to extend time for responding to defendant's motion to dismiss on

	grounds of presidential immunity (jad) [Entry date August 15, 1994]
August 12, 1994	ORDER by Judge Susan W. Wright granting motion to extend time for responding to defendant's motion to dismiss on grounds of presidential immunity [20-1] [17-1] (cc: all counsel) (jad) [Entry date August 15, 1994]
August 19, 1994	STATEMENT of Interest of the United States (vjt)
October 21, 1994	RESPONSE by plaintiff Paula Corbin Jones to President Clinton's motion to dismiss on grounds of presidential immunity [17-1] (vjt)
October 21, 1994	MEMORANDUM by plaintiff in support of motion response [23-1] (vjt)
October 27, 1994	ORDER by Judge Susan W. Wright that amicus briefs are not to be filed with the Court, and if submitted, will be made a part of the correspondence file (cc: all counsel) EOD October 27, 1994 (vjt)
October 27, 1994	MOTION by defendant President Clinton for leave to file reply (vjt)
October 27, 1994	ORDER by Judge Susan W. Wright denying President Clinton's motion for leave to file reply brief [26-1] (cc: all counsel) (vjt) [Entry date October 28, 1994]
November 1, 1994	MOTION by defendant President Clinton for oral argument on his motion to dismiss on grounds of presidential immunity (vjt)

November 3, 1994	MOTION by plaintiff to permit filing of affidavit of Paula Corbin Jones under seal (vjt)
November 3, 1994	MEMORANDUM in Opposition by defendant President Clinton to plaintiff's motion to permit filing of affidavit of Paula Corbin Jones under seal [29-1] (vjt) [Entry date November 4, 1994]
November 14, 1994	REPLY by plaintiff to President Clinton's response to motion to permit filing of affidavit of Paula Corbin Jones under seal [29-1] (vjt) [Entry date November 15, 1994]
November 14, 1994	RESPONSE by plaintiff to President Clinton's motion for oral argument [28-1] (vjt) [Entry date November 15, 1994]
November 23, 1994	ORDER by Judge Susan W. Wright denying plaintiff's motion to permit filing of affidavit of Paula Corbin Jones under seal [29-1]; denying President Clinton's motion for oral argument re: motion to dismiss on grounds of presidential immunity [28-1] (cc: all counsel) EOD November 23, 1994 (vjt)
December 28, 1994	MEMORANDUM OPINION AND ORDER by Judge Susan W. Wright denying President Clinton's motion to dismiss on grounds of presidential immunity; the court will issue a scheduling order in due course [17-1] (cc: all counsel) EOD December 28, 1994 (vjt)

December 30, 1994	NOTICE of appeal by defendant William Jefferson Clinton from District Court decision [34-1] (appeal fees paid) (Two certified copies to Clerk of the United States Court of Appeals for the Eighth Circuit), (cc: counsel) (dc) [Entry date January 3, 1995]
January 5, 1995	MOTION by defendant William Jefferson Clinton to stay pending appeal (dc)
January 5, 1995	MEMORANDUM by defendant William Jefferson Clinton in support of motion to stay pending appeal [36-1] (dc)
January 9, 1995	CERTIFICATE REGARDING TRANSCRIPT by defendant William Jefferson Clinton (dc)
January 9, 1995	Statement of issues on Appeal by defendant William Jefferson Clinton [35-1](dc)
January 13, 1995	DOCKETING LETTER: United States Court of Appeals for the Eighth Circuit-Number 95-1050; counsel to proceed on appendix (dc)
January 17, 1995	MEMORANDUM by plaintiff Paula Corbin Jones in opposition to motion to stay pending appeal [36-1] (dc)
January 17, 1995	NOTICE of cross-appeal by plaintiff Paula Corbin Jones from District Court decision [34-1] (appeal fees paid) (Two certified copies to Clerk of the United States Court of Appeals for the Eighth Circuit), (cc: counsel) (dc)

January 18, 1995	REPLY by defendant Clinton to plaintiff's opposition to motion for stay of discovery pending appeal [36-1] (dc) [Entry date January 19, 1995] [Edit date March 3, 1995]
January 25, 1995	DOCKETING LETTER: United States Court of Appeals for the Eighth Circuit Number 95-1167; counsel to proceed on appendix (dc)
February 24, 1995	ORDER by Judge Susan W. Wright granting President Clinton's motion to stay pending appeal [36-1] (cc: all counsel) EOD February 24, 1995 (vjt)
March 1, 1995	ORDER by Judge Susan W. Wright directing the Clerk to substitute the attached page 2 for the corresponding page in its Order on February 24, 1995 [42-1]; the new page deletes part of footnote one (cc: all counsel) EOD March 1, 1995 (vjt)
April 1, 1996	ORDER by the Eighth Circuit Court of Appeals, suggestion for rehearing en banc is denied. Petition for rehearing by the panel is also denied (dc)
April 18, 1996	ORDER by the Eighth Circuit Court of Appeals, issuance of the mandate shall be stayed until final disposition of the case by the Supreme Court (dc)
May 10, 1996	ORDER by the Eighth Circuit Court of Appeals, President Clinton's motion to extend stay of mandate is denied (dc)

May 20, 1996 — NOTICE of filing petition for writ of certiorari with Supreme Court #95-1853 (dc) [Entry date May 21, 1996]

II. Relevant Docket Entries in *Jones v. Clinton*, Nos. 95-1050, 95-1167 (8th Cir.)

January 23, 1995 — Civil Case Docketed. (dlb) [95-1167]

January 23, 1995 — CERTIFIED copies of notice of cross-appeal, docket entries, and orders of July 21, 1994 and December 28, 1994. [95-1167] [528439] (dlb) [95-1167]

January 23, 1995 — SIMULTANEOUS OPINION RELEASE (dlb) [95-1167]

January 23, 1995 — CROSS APPEAL BRIEFING SCHEDULE: Designation of Record by appellee due on February 2, 1995 in 95-1050, in 95-1167 Appendix due on March 6, 1995 in 95-1050, in 95-1167 Appellant brief due on March 6, 1995 in 95-1050, in 95-1167 Appellee/Cross Appellant brief due on April 5, 1995 in 95-1050, in 95-1167 Reply brief of Appellant/Cross-Appellee due on May 5, 1995 in 95-1050, in 95-1167 Reply brief Appellee/Cross Appellant due May 19, 1995 in 95-1050, in 95-1167 [95-1050, 95-1167] (dlb) [95-1050 95-1167]

February 1, 1995 — DESIGNATION of record received from Appellant William Jefferson Clinton in 95-1050. Type of appendix: separate [95-1050, 95-1167] (skh) [95-1050 95-1167]

February 1, 1995 — REMARKS: NO transcript. [95-1050, 95-1167] (skh) [95-1050, 95-1167]

February 13, 1995 — MOTION of appellant, William Jefferson Clinton, for extension of time to file brief until April 5, 1995. [95-1050, 95-1167] [537247] with service February 10, 1995 (skh) [95-1050 95-1167]

February 13, 1995 — ORDER filed: granting appellant motion for extension of time to file brief [537247-1] [537248] in 95-1050, 95-1167 Appellant brief now due on April 5, 1995 in 95-1050, in 95-1167(skh) [95-1050 95-1167]

April 5, 1995 — BRIEF FILED - Brief of Appellant - William Jefferson Clinton in 95-1050. 49 pages - with addendum - 10 copies - with service April 5, 1995. [95-1050, 95-1167] [556249] (rla) [95-1050 95-1167]

April 5, 1995 — RECORDS received: Appendix filed by Appellant William Jefferson Clinton in 95-1050, 95-1167 consisting of one Volume, 3 Copies. [95-1050, 95-1167] (rla) [95-1050 95-1167]

April 5, 1995 — BRIEF FILED - Brief of Amicus Curiae - Akhil Reed Amar, et al in 95-1050 and 95-1167 on behalf of appellant/cross-appellee William Jefferson Clinton in 95-1050 and 95-1167 17 pages - 10 copies with service April 4, 1995. [95-1050, 95-1167] [556766] (rla) [95-1050 95-1167]

April 7, 1995	Clerk Letter sent granting motion for leave to appear as amicus and filed brief [95-1050, 95-1167] (rla) [95-1050 95-1167]
April 10, 1995	BRIEF FILED - Brief of Amicus Curiae United States in 95-1050, and 95-1167 on behalf of appellant William Jefferson Clinton in 95-1050 and 95-1167 - 30 pages (per order of March 22, 1995) - copies with service April 5, 1995. [95-1050, 95-1167] [557923] (rla) [95-1050 95-1167]
April 11, 1995	MOTION of appellee/cross-appellant, Paula Corbin Jones in 95-1050 and 95-1167, for Expedited Appeal. [95-1050, 95-1167] [560041] with service April 10, 1995 (rla) [95-1050 95-1167]
April 12, 1995	RESPONSE of appellant/cross-appellee, William Jefferson Clinton in 95-1050/ 95-1167, in opposition to appellee motion for Expedited Appeal filed by Paula Corbin Jones [560041-1] [560043] in 95-1050. (rla) [95-1050 95-1167]
April 13, 1995	MOTION of appellee/cross-appellant, Paula Corbin Jones in 95-1050 and 95-1167, to file a reply to appellant/cross appellee letter in opposition. [95-1050, 95-1167] [560047] with service April 12, 1995 (rla) [95-1050 95-1167]

April 13, 1995	REPLY filed by appellee/cross-appellant in 95-1050 and 95-1167 regarding appellant's opposition to appellee's motion to expedite briefing. [95-1050, 95-1167] (rla) [95-1050 95- 1167]
April 17, 1995	JUDGE ORDER: Appellee's motion to expedite the briefing schedule and place this case on the June oral argument calendar, appellant's response in opposition and appellee's reply thereto have been referred to the Court for decision. After review, the Court hereby denies appellee's motion to expedite briefing and placement on the oral argument calendar. This case shall proceed upon the established briefing schedule absent the filing of any party's brief before the scheduled deadline. Counsel is reminded that any early filing will automatically advance the briefing schedule. This case shall be placed on the oral argument calendar in the ordinary course. [560054] in 95-1050, 95-1167 (rla) [95-1050 95-1167]
May 1, 1995	BRIEF FILED - Brief of Amicus Curiae - ACLU in 95-1050, ACLU in 95-1167 on behalf of appellee/cross-appellant Paula Corbin Jones in 95-1050 and 95-1167 20 pages - 10 copies with service April 28, 1995. [95-1050, 95-1167] [567183] (rla) [95-1050 95-1167]

May 8, 1995	BRIEF FILED - Brief of appellee/cross-appellant - Appellee Paula Corbin Jones in 95-1050, 95-1167. 50 pages - 11 copies with service May 5, 1995. [95-1050, 95-1167] [570083] (rla) [95-1050 95-1167]
May 22, 1995	BRIEF FILED - Brief of Amicus Curiae - on behalf of appellee Paula Corbin Jones; Stephen B. Burbank in 95-1050, Stephen B. Burbank in 95-1167 20 pages- 10 copies with service May 5, 1995.[95-1050, 95-1167] [575756] (rla) [95-1050 95-1167]
June 6, 1995	BRIEF FILED - Reply Brief of appellant/cross-appellee - William Jefferson Clinton in 95-1050, William Jefferson-Clinton in 95-1167. 34 pages - 10 copies - with service June 5, 1995. [95-1050, 95-1167] [579630] (rla) [95-1050, 95-1167]
June 20, 1995	BRIEF FILED - Reply Brief of appellee/cross-appellant - Paula Corbin Jones in 95-1050, 95-1167. 12 pages - 11 copies - with service June 19, 1995. [95-1050, 95-1167] [585275] (rla) [95-1050, 95-1167]

September 14, 1995	ARGUED AND SUBMITTED IN ST. LOUIS TO JUDGES Pasco M. Bowman, Circuit Judge, Donald R. Ross, Circuit Judge, C. A. Beam, Circuit Judge. Robert S. Bennett for Appellant/Cross-Appellee William Jefferson Clinton in 95-1050 and 95-1167. Gilbert K. Davis for Appellee/Cross-Appellant Paula Corbin Jones in 95-1050 and 95-1167. Rebuttal by: Mr. Bennett. RECORDED. [95-1050, 95-1167] (mel) [95-1050, 95-1167]
January 9, 1996	THE COURT: Pasco M. Bowman, Donald R. Ross, C. A. Beam. OPINION FILED by Pasco M. Bowman; separate CONCUR by C. A. Beam; DISSENT by Donald R. Ross. PUBLISHED. [95-1050, 95-1167] [659043] (mjh) [95-1050 95-1167]
January 9, 1996	JUDGMENT: Pasco M. Bowman, Donald R. Ross, C. A. Beam: The judgment of the lower court is AFFIRMED in part, REVERSED in part and REMANDED to the district court for proceedings consistent with the opinion of this court. [95-1050, 95-1167] [659052] (mjh) [95-1050 95-1167]
January 23, 1996	PETITION for REHEARING with suggestion for rehearing en banc. Filed by Appellant William Jefferson Clinton in 95-1050/1167 with service January 23, 1996, TO COURT. [95-1050, 95-1167] (mjh) [95-1050 95-1167]

January 29, 1996	Clerk letter sent notifying that appellee has an opportunity to respond to petition for rehearing with suggestion for rehearing en banc filed by William Jefferson Clinton, [665168-1] in 95-1050, [665168-1] in 95-1167 [95-1050, 95-1167] Response due by February 8, 1996 in 95-1050, in 95-1167 (mjh) [95-1050, 95-1167]
January 31, 1996	BRIEF TENDERED - Brief of Amicus Curiae - United States in 95-1050/1167 on behalf of Appellant in support of suggestion for rehearing en banc. 21 copies with service January 30, 1996, TO COURT. (mjh) [95-1050, 95-1167]
January 31, 1996	MOTION of United States Department of Justice for leave to file brief in support of appellant's suggestion for rehearing en banc as amicus curiae. [95-1050, 95-1167] [668942], TO COURT. with service January 30, 1996 (mjh) [95-1050 95-1167]
February 7, 1996	JUDGE ORDER: The Department of Justice's motion to file an amicus brief in support of the Petition for Rehearing and Suggestion for Rehearing En Banc has been considered by the Court and is granted. Chief Judge Richard S. Arnold and Judges Morris S. Arnold and Diana E. Murphy took no part in the consideration of this motion. [668942-1] [95-1050, 95-1167] [671416] in 95-1050, 95-1167 (mjh) [95-1050, 95-1167]

PUBLISHER'S NOTE:

THE FOLLOWING PAGES WERE UNAVAILABLE FOR FILMING:

15 and 16

April 16, 1995	JUDGE ORDER: The appellant's motion to stay the mandate pursuant to Federal Rules of Appellate Procedure 41(b) has been considered by the Court and is granted. The issuance of the mandate in this case shall be stayed to and including May 16, 1996. If within that time there is filed with the Clerk of this Court a certificate of the Clerk of the Supreme Court that a petition for writ of certiorari has been filed, this stay shall continue until final disposition of the case by that court. [693558-1] [95-1050, 95-1167] [698076] in 95-1050, 95-1167, granting appellant motion to stay mandate [693558-1] [95-1050, 95-1167] [698076] in 95-1050, 95-1167 (mjh) [95-1050 95-1167]
May 3, 1996	MOTION of appellant, William Jefferson Clinton in 95-1050, William Jefferson Clinton in 95-1167, for extension of the stay of mandate. [95-1050, 95-1167] [705490], TO COURT. With service May 2, 1996 (mjh) [95-1050 95-1167]
May 6, 1996	RESPONSE of appellee, Paula Corbin Jones in 95-1050/95-1167, in opposition to appellant motion for extension of the stay of mandate filed by William Jefferson Clinton, [705490-1] [95-1050, 95-1167] [706138] in 95-1050, [705490-1] [95-1050, 95-1167] [706138] in 95-1167, TO COURT. (ema) [95-1050 95-1167]

May 8, 1996	JUDGE ORDER: President Clinton's motion to extend the stay of mandate has been considered by the Court and is denied. Judge Ross voted to grant the motion. [705490-1] filed by William Jefferson Clinton [95-1050, 95-1167] [706966] in COURT. (ema) [95-1050 95-1167]
May 8, 1996	JUDGE ORDER: President Clinton's motion to extend the stay of mandate has been considered by the Court and is denied. Judge Ross voted to grant the motion. [705490-1] filed by William Jefferson Clinton [95-1050, 95-1167] [706966] in 95-1050, 95-1167 (mjh) [95-1050 95-1167]
May 16, 1996	United States Supreme Court notice regarding petition for writ of certiorari. Filed in the Supreme Court on May 15, 1996. Supreme Court Case No. 95-1853 [95-1050, 95-1167] [710667] (mjh) [95-1050 95-1167]
July 3, 1996	Notification from Supreme Court dated-June 24, 1996 stating that it had entered an order granting certiorari in the Supreme Court [710667-1] in 95-1050, 95-1167 [95-1050, 95-1167] (mjh) [95-1050 95-1167]